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*Lead Counsel for Direct Purchaser Plaintiffs*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. 07-CV-5944-JST

MDL No. 1917

### This Document Relates to:

*Crago, d/b/a Dash Computers, Inc., et al. v.  
Mitsubishi Electric Corporation, et al.*, Case  
No. 14-CV-2058-JST.

**DECLARATION OF DANIEL D. OWEN IN  
SUPPORT OF DIRECT PURCHASER  
PLAINTIFFS' APPLICATION FOR  
ATTORNEYS' FEES AND EXPENSES AND  
INCENTIVE AWARDS**

Date: June 8, 2017  
Time: 2:00 p.m.  
Judge: Honorable Jon S. Tigar  
Courtroom: 9

1 I, Daniel D. Owen, declare:

2 1. I am a shareholder in the Polsinelli PC law firm, Counsel for Direct Purchaser  
3 Plaintiffs (“DPPs” or “Plaintiffs”) in this action. I submit this declaration in support of DPPs’ joint  
4 Application for Attorneys’ Fees and Expenses and Incentive Awards (“Fees and Expense  
5 Application”) in connection with the services rendered in this litigation. I make this declaration  
6 based on my personal knowledge and if called as a witness, I could and would competently testify  
7 to the matters stated herein.

8 2. My firm has served as counsel to plaintiff Crago, Inc., d/b/a Dash Computers, Inc.  
9 (“Crago”) and as counsel for the Class throughout the course of this litigation. The background and  
10 experience of Polsinelli PC and its attorneys are summarized in the curriculum vitae attached  
11 hereto as **Exhibit A**.

12 3. Polsinelli PC has prosecuted this litigation solely on a contingent-fee basis, and has  
13 been at risk that it would not receive any compensation for prosecuting claims against the  
14 defendants. While Polsinelli PC devoted its time and resources to this matter, it has foregone other  
15 legal work for which it would have been compensated.

16 4. During the pendency of the litigation, Polsinelli PC performed the following work:  
17 a. Participated in depositions of fact witnesses and the preparation for same;  
18 b. Prepared and produced several class representatives for their depositions;  
19 c. Participated in meetings and conference calls with clients, co-plaintiffs’  
20 counsel, and opposing counsel;  
21 d. Prepared responses to written discovery requests propounded by opposing  
22 parties;  
23 e. Participated in the selection, study, analysis, and creation of deposition and  
24 trial exhibits; and  
25 f. Studied pleadings, motions, briefs, and documents filed with the court by the  
26 parties.

27 5. Attached hereto as **Exhibit B** is my firm’s total hours and lodestar, computed at  
28 historical rates, from the inception of DPPs’ case against the Mitsubishi Electric Defendants and

1 the Thomson Defendants (Case No. 14-CV-2058-JST, filed May 5, 2014) through October 31,  
2 2016. The total number of hours spent by Polsinelli PC during this period of time was 880.30, with  
3 a corresponding lodestar of \$559,255.00. This summary was prepared from contemporaneous,  
4 daily time records regularly prepared and maintained by Polsinelli PC. The lodestar amount  
5 reflected in Exhibit B is for work assigned by Lead Counsel, and was performed by professional  
6 staff at my law firm for the benefit of the DPP Class. None of these hours were included in  
7 connection with DPPs' first fee and expense application (ECF No. 4055).

8 6. The hourly rates for the attorneys and professional support staff in my firm included  
9 in Exhibit B are the usual and customary hourly rates charged by Polsinelli PC.

10 7. Polsinelli PC has expended a total of \$2,418.41 in unreimbursed costs and expenses  
11 in connection with the prosecution of DPPs' case against the Mitsubishi Electric Defendants and  
12 the Thomson Defendants. These costs and expenses are broken down in the chart attached hereto as  
13 **Exhibit C**. They were incurred on behalf of DPPs by Polsinelli PC on a contingent basis and have  
14 not been reimbursed. The expenses incurred in this action are reflected on the books and records of  
15 my firm. These books and records are prepared from expense vouchers, check records and other  
16 source materials and represent an accurate recordation of the expenses incurred. None of these  
17 expenses were included in connection with DPPs' first fee and expense application (ECF No.  
18 4055).

19 8. I have reviewed the time and expenses reported by Polsinelli PC in this case which  
20 are included in this declaration, and I affirm that they are true and accurate.

21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing is true and correct.

23 Executed on March 28, 2017, at Kansas City, Missouri.

24 */s/ Daniel D. Owen* \_\_\_\_\_  
25 Daniel D. Owen  
26  
27  
28

## ATTESTATION

I, R. Alexander Saveri, hereby attest, pursuant to United States District Court, Northern District of California Civil Local Rule 5-1(i)(3), that concurrence to the filing of this document has been obtained from the signatory hereto.

By: /s/ R. Alexander Saveri

R. Alexander Saveri

# **EXHIBIT A**



POL SINELLI.

## Firm Curriculum Vitae

### Table of Contents

- 1 About the Firm
- 2 Antitrust Practice
- 3 Attorney Biographies



## 1 About the Firm



real challenges.  
real answers. <sup>SM</sup>



### firm facts

A full-service firm with more than **170 services/industries**

**800 attorneys nationwide**

**20 offices** spanning the country from Los Angeles to New York

**7 focus areas** business litigation, financial services, health care, intellectual property, labor & employment, mid-market corporate and real estate

### our clients say

#### direct and practical

"There is a definite distinction in style that you can identify from firm to firm. Some firms are shrouded with exceptions, caveats and legal speak. I want direct statements, practical help, and I get that at Polsinelli."

#### understanding clients' real world situations

"Polsinelli is excellent at that. They do a great job at deeply understanding what we do and are trying to accomplish. When negotiating, they know what's important to us and the right trade-offs, and they apply their legal knowledge based on that."

Polsinelli is very proud of the results we obtain for our clients, but you should know that past results do not guarantee future results; that every case is different and must be judged on its own merits; and that the choice of a lawyer is an important decision and should not be based solely upon advertisements. Polsinelli PC. Polsinelli LLP in California.

You expect lawyers to be good legal technicians. Shouldn't you also expect legal advice grounded in strong business acumen? We understand your functional challenges and how your industry orientation shapes your strategic objectives. That is why we organize our experience logically around your business needs.

### services

- Antitrust
- Bankruptcy and Financial Restructuring
- Business Disputes and Litigation
- Corporate and Transactional
- Employee Benefits and Executive Compensation
- Environmental and Natural Resources
- Financial Services
- Food and Drug
- Government Contracts
- Government Investigations and Compliance: Civil and Criminal
- Health Care
- Immigration
- Infrastructure and Public-Private Partnerships
- Intellectual Property
- International
- Labor and Employment
- Privacy and Data Security
- Pro Bono
- Public Policy
- Real Estate
- Real Estate Finance
- Securities and Corporate Finance
- Tax
- Wealth Planning / Administration

### industries

- Chemical Manufacturing
- Construction
- Energy and Utilities
- Family Owned Businesses
- Financial Services
- Food and Agriculture
- Franchises and Distributors
- Health Care
- Insurance Business and Regulatory Law
- Life Sciences
- Nonprofit Organizations
- Professional Services
- Public Sector
- Real Estate
- Retail and Hospitality
- Startup Ventures
- Technology
- Telecommunications
- Transportation & Logistics



**POLSINELLI**

real people.  
real insights. <sup>SM</sup>



**Business Litigation** Polsinelli's business litigation attorneys provide companies and professionals with business-driven legal advice that is founded on a thorough understanding of substantive legal issues, real courtroom experience and sound business judgment. Our attorneys strive to help clients make sound business decisions by providing legal advice infused with economic evaluation and risk management.

**Financial Services** The firm's national financial services practice encompasses all aspects of debt and equity financing, including loan origination and servicing, loan sales and securitizations, financial restructuring and work-outs, loan enforcement, and bankruptcy. Our fully integrated practice represents lenders, borrowers, issuers, investors, debtors, creditors, and master and special servicers in all matters of financing from all sides, with a history of providing practical, business-minded legal guidance.

**Health Care** Recognized as a leader in health care law, Polsinelli is ranked nationally by *Chambers USA*<sup>1</sup>. From the strength of its national platform, the firm is positioned to advise on the full range of hospital-physician lifecycle and business issues confronting health care providers across the United States. The national team serves clients in hospital and health systems, academic medical centers, health information and technology companies, and many other sub-sectors of the industry.

**Intellectual Property** Our attorneys are a multidisciplinary team organized to handle the most complex issues facing technology and high tech companies, bioscience and life sciences companies, animal science, medical device, pharmaceutical, chemical, software and business methods, data, privacy, health care IT, and any of a variety of other high tech industries. As one of the largest IP practices in the nation, our attorneys have deep experience, including patent and trademark prosecution and litigation, IP transactions, post-grant work and strategic guidance leading up to and during the litigation process.

**Labor & Employment** Our attorneys partner with management to navigate challenging labor and employment problems in increasingly regulated workplaces. We help business clients plan and implement practical human resources solutions such as workforce restructuring, union avoidance plans, restrictive covenant and intellectual property protection plans, and merger and acquisition related workforce integrations. When employment disputes escalate to high-stakes litigation, our lawyers bring to bear decades of trial and class action experience to win at trial or at the negotiating table. Whether representing established Fortune 50 enterprises, or privately-held entrepreneurial ventures, we work in concert with our clients to find employment solutions that advance their business objectives.

**Mid-Market Corporate** Companies doing business in the middle market ecosystem require sophisticated and comprehensive legal advice designed to minimize liability and maintain flexibility while focusing on opportunity and scale. High value advice is necessary to achieve those goals. Our attorneys provide tailored legal counsel grounded in an understanding of our clients' businesses as well as the industries and geographies in which they operate, including outside general counsel, corporate governance, securities and corporate finance, joint ventures and strategic alliances (mergers, acquisitions and divestitures, private equity, and venture capital) and other corporate services.

**Real Estate Development & Transactions** From acquisition and financing through development and leasing, our industry understanding enables Polsinelli attorneys to drive to deal closure. Our deep bench in transactions, financing structures, land use entitlements and environmental, as well as experience in securing economic incentives through tax credit and special obligation financing, provide the practical solutions our clients value.

<sup>1</sup> *Chambers USA: America's Leading Lawyers for Business*, May 2016

Polsinelli is very proud of the results we obtain for our clients, but you should know that past results do not guarantee future results; that every case is different and must be judged on its own merits; and that the choice of a lawyer is an important decision and should not be based solely upon advertisements. Polsinelli PC. Polsinelli LLP in California.



## 2 Antitrust Practice



real skills.  
real insights.<sup>SM</sup>



#### Practice Leaders

P. John Brady  
jbrady@polsinelli.com

Jennifer Gille Bacon  
jbacon@polsinelli.com

Mitchell D. Raup  
mraup@polsinelli.com

## Antitrust

*"We're looking to do business with people that are good business people. We expect them to be savvy because they are at Polsinelli. Dealing with the Polsinelli attorneys that have business sense is really important."*

— Polsinelli Client

### Overview

Polsinelli's Antitrust practice solves antitrust problems on matters ranging from mergers and acquisitions to intellectual property to complex litigation and consumer protection matters.

Our practice includes both experienced litigators and transactional lawyers. As a result, we have the experience to provide solutions across the spectrum of antitrust law. Because antitrust issues often are critical to our clients' businesses, we work closely with clients to develop a strategy that is consistent with their goals and objectives.

#### Mergers and Acquisitions

- We work with clients at all steps of their transactions to minimize antitrust exposure during contract formation, negotiation of terms, exchanges of sensitive information, pre-closing operations, and closing.
- We counsel clients about all aspects of their reporting obligations under the Hart-Scott-Rodino Act, and guide them through the merger review process.
- Our lawyers have defended multi-billion-dollar mergers of competitors. We have responded to numerous Second Requests and other discovery demands, prepared and presented facts and economic expert testimony to antitrust enforcers and courts, and (where necessary) negotiated consent decrees to allow the deal to close.

#### Antitrust Litigation and Government Investigations

- We understand antitrust litigation from all angles. Polsinelli has successfully represented plaintiffs and defendants in antitrust trials and appeals in class actions, Bet-The-Company lawsuits, multidistrict litigation, and government civil and criminal enforcement actions.
- We represent clients whose conduct is being investigated under the antitrust laws by the Federal Trade Commission, the United States Department of Justice, and State Attorneys General.

#### Antitrust Counseling, Audits and Compliance Training

- Our team counsels clients on structuring business operations to minimize antitrust risks.
- We conduct custom-designed, comprehensive antitrust audits of business operations to identify risks, prevent violations, and address problems before they surface in litigation.
- We train executives and management to recognize and avoid antitrust violations.

Protecting your Rights under the Antitrust Laws

- We aggressively represent plaintiffs who have been injured by antitrust violations. Our goal is to end the violation and recover compensation for injured clients.
- We represent parties bringing complaints to antitrust enforcement agencies and often persuade the agency to take corrective action to stop anti-competitive conduct.

## Key Matters

### Antitrust Litigation – for Defendants

- In two separate matters, represented major athletic conferences in antitrust class actions filed against a national collegiate sports association and other major athletic conferences, alleging that the association's rules limiting compensation for student athletes were in violation of the Sherman Act.
- Represented two athletic conferences in a class action filed alleging antitrust and intellectual property claims against TV broadcasters and certain Division I college athletic conferences.
- Defense of an antitrust claim against a national association of high school sports and a national association of collegiate sports by a baseball bat manufacturer, alleging that rules governing Bat-Ball Coefficient of Restitution restrained trade in the non-wood bat market. The United States Court of Appeals for the Fifth Circuit unanimously affirmed dismissal of the antitrust claims, reaffirming our client's role in setting rules for high school competition.
- Defended antitrust claims alleging that a software company with revenues of \$55.8 billion per year excluded another technology company from the US market for x86 computer microprocessors.
- Successfully defended claims by a group of franchisees in a tire and automotive products franchise system for tens of millions of dollars arising out of claims that the defendants engaged in conspiracy to breach contract, fraud, violation of various antitrust laws, including the Robinson-Patman Act and other claims.
- Defended class action by nurses alleging that association of hospitals and individual hospitals conspired to fix nurses' salary in violation of federal and state antitrust laws.
- Represented a manufacturer and distributor of commercial garage doors in a Robinson-Patman Act claim in which the plaintiff, a dealer for our client, alleged that our client gave unlawful preferential prices to a competing dealer. The Court granted our motion for summary judgment, holding that plaintiff had not established either unlawful price discrimination or injury to competition.

### Antitrust Litigation – for Plaintiffs

- Represent Colorado, Kansas, Missouri, and Wisconsin retail purchasers of natural gas against natural gas sellers in price-fixing suit alleging price manipulation. Obtained a 7-2 decision in the United States Supreme Court holding that the Natural Gas Act does not preempt the plaintiffs' state-law antitrust claims.
- Represented a class of direct purchasers of thin film transistor liquid crystal display panels that sued numerous Japanese, Korean and Taiwanese based manufacturers for price-fixing. Settlements of almost \$500 million were obtained, as was a jury verdict against Toshiba.
- Represented a class of direct purchasers of potash in a price-fixing case against an international cartel. Obtained a unanimous en banc opinion from the 7th Circuit on the non-applicability of the Foreign Trade Anti-Trust Improvements Act (FTAIA) and a \$90 million dollar settlement for the Class.
- Successfully represented plaintiff telecommunications company against nation's largest cable operator. The suit included antitrust claims under Section 1 and 2 of the Sherman Act and a claim for tortious interference claim and was tried in the United States District Court for seven weeks. Obtained a verdict on each of the two antitrust counts of \$10.8 million trebled to \$32.4 million and a verdict on the tortious interference claim of \$10.8 million plus \$25 million punitive damages (total \$35.8 million). Affirmed by the Eighth Circuit Court of Appeals; certiorari denied by the United States Supreme Court and judgment collected.
- Represent direct purchasers of lithium ion batteries against manufacturers who participated in an international price-fixing conspiracy.
- Represent indirect purchasers of coffee pods against a major manufacturer of coffee brewing equipment, in a suit alleging violations of antitrust and unfair competition laws of numerous states.
- Represent direct purchasers of capacitors, in a suit alleging that the defendants participated

in an international price-fixing conspiracy.

- Represent direct purchasers of CRT products, including television screens and computer monitors, against manufacturers who engaged in an international price-fixing conspiracy.
- Lead trial counsel for the State of Missouri claims under Section 1 and 2 of the Sherman Act against several of the major producers and distributors of natural gas in Western Missouri and Eastern Kansas. The case was tried for 10 days before settlement of claims. Total settlement for all plaintiffs in excess of \$200 million.
- Successfully negotiated on behalf of the State of Missouri and others for an aggregate settlement of more than \$400 million in claims involving antitrust price-fixing.
- After eight years of complex litigation, helped recover significant awards and settlements for prominent distributors engaged in associated multilevel marketing businesses that were seeking to recover tens of millions of dollars in commercial litigation cases filed in state and federal courts in Missouri and Florida. Their claims included a variety of tort, contract, and antitrust claims.



## 3 Attorney Biographies



real people.  
real perspective.<sup>SM</sup>



#### Areas of Focus

- Antitrust
- Class Action Litigation
- Commercial Litigation
- Health Care Industry
- Health Care Litigation
- Health Care Services
- Litigation and Dispute Resolution

#### Education

- J.D., Creighton University, 1980, *cum laude*
- B.S., University of Nebraska-Lincoln, 1976

#### Bar Jurisdictions

- Missouri, 1980
- Kansas, 1987

## P. John Brady

Shareholder | Practice Chair

jbrady@polsinelli.com

Kansas City

816.374.0515

*"My goal is the timely and efficient analysis, evaluation and resolution of a client's claim or litigation exposure by settlement or jury verdict."*

#### Overview

In his more than three decades of trial practice, Jack Brady has represented plaintiffs and defendants in almost every type of case.

His successful business litigation trial experience includes cases involving class action, breach of warranty, breach of contract, breach of fiduciary duty, director and officer liability, fraud, tortious interference, antitrust, accounting malpractice, lender liability, and adversary bankruptcy proceedings.

Jack's successful tort litigation trial experience includes cases involving product defects of farm implements, auto crashworthiness, medical devices, and construction machinery, and also cases involving auto/truck collisions, medical malpractice, hotel security, and premises liability.

Jack's experience on either side of the courtroom provides a diverse perspective and valuable insight into his opponents' trial strategy, which allows for successful and efficient resolutions.

#### Distinctions

- Recognized by *Best Lawyers*<sup>®</sup> as the 2017 Medical Malpractice Law - Defendants "Lawyer of the Year" in Kansas City, Missouri
- Selected for inclusion in *The Best Lawyers in America*,<sup>®</sup> 2007-2017
  - Commercial Litigation
  - Litigation - Antitrust
  - Medical Malpractice Law - Defendants
  - Personal Injury Litigation - Defendants
- Selected for inclusion in *Missouri & Kansas Super Lawyers* for Business Litigation, 2005-2014
- Honored by *The Kansas City Business Journal* as the 2015 "Best of the Bar" in the fields of:
  - Commercial and Business Litigation
  - Health Care and Personal Injury Litigation
  - Accounting Litigation

**Key Matters**

- Represented a class of direct purchasers of thin film transistor liquid crystal display panels that sued numerous Japanese, Korean and Taiwanese based manufacturers for price-fixing. Settlements of almost \$500 million were obtained and a jury verdict against Toshiba was also obtained.
- Represented with two other firms a class of direct purchasers of potash in a price-fixing case against an international cartel. Obtained a unanimous en banc opinion from the 7th Circuit on the non-applicability of the Foreign Trade Anti-Trust Improvements Act (FTAI) and a \$90 million dollar settlement for the Class.
- Co-lead counsel and lead trial counsel for several consumer class action cases against General Motors. Case successfully settled in for confidential amount.
- Successfully represented at trial ANUHCO, Inc., et. al. in a breach of contract lender liability case against Westinghouse Business Credit. After a six-week jury trial, verdict was returned for plaintiffs in the amount of \$70 million. Judgment was affirmed on appeal and paid in the amount of \$81 million including interest. This case represents the largest verdict ever affirmed in the State of Missouri.
- Successfully represented at trial Block Financial Corporation, a subsidiary of H&R Block, in a breach of contract case against America Online (AOL) in a transaction involving the sale of CompuServe, Inc. to AOL. Case tried for three weeks with verdict for Block Financial Corporation and against AOL in the amount of \$21 million.
- Successfully represented the trustee of the bankruptcy estate of Mountain Energy Corporation in numerous adversary proceedings resulting in a reduction of total claims and set-offs valued at \$59.3 million to the creditors of the estate.
- Successfully arbitrated MEZ, Inc.'s claim against SPX, a large British conglomerate, in an eight-day arbitration. The breach of "earn out" provision contained in a purchase and sale of assets agreement claim resulted in an award of the full amount of the contingent "earn out" — \$6.5 million, plus prejudgment interest in the amount of \$495,000 and an award of attorneys' fees and expenses.
- Successfully represented a 9-year-old boy with permanent brain injury in a product defect case against Ford Motor Company. Case settled after three weeks of trial, prior to closing argument, for confidential amount.
- Successfully represented a 19-year-old woman in a negligent hotel security case, which settled after one week of trial for \$2.725 million.
- Successfully represented a 25-year-old woman in a Federal Torts Claim Act case against the U.S. Government and another defendant for medical malpractice. Case settled before trial for in excess of \$2 million.
- Successfully tried a medical malpractice failure to diagnose cancer case in Omaha, Neb. After one-week trial, verdict of \$500,000 was obtained.
- Numerous successful trial verdicts for physicians and hospitals sued for medical malpractice and corporate negligence.



#### Areas of Focus

- Antitrust
- Commercial Litigation
- Litigation and Dispute Resolution

#### Daniel D. Owen

Shareholder  
dowen@polsinelli.com  
Kansas City  
816.395.0671

#### Education

- J.D., University of Kansas, 1990
- B.S., University of Kansas, 1987

#### Bar Jurisdictions

- Kansas, 1990
- Missouri, 1991

#### Overview

Over more than 20 years, Daniel Owen has developed extensive jury trial experience in state and federal courts. He's tried a wide variety of civil and criminal matters in Kansas, Missouri, and California.

Much of Daniel's' jury trial work has involved technical subjects, such as:

- Computer software
- Bridges
- Cranes
- Building design
- Automotive engines
- Agricultural machinery

He is a former computer programmer, who has extensive experience preparing and trying computer-related cases, and has represented both software companies and their customers. Daniel also has extensive class action experience, particularly in antitrust cases.

#### Distinctions

- Received Martindale-Hubbell highest "AV" rating
- Continuing Legal Education presentations on antitrust, class actions, litigation support software, and trial techniques
- Law school lecturer on class actions



real people.  
real perspective.<sup>SM</sup>



#### Areas of Focus

- Insurance Recovery
- Litigation and Dispute Resolution
- Products Liability

#### Education

- J.D., University of Iowa, 1988, *Journal of Corporation Law*
- B.B.A., Iowa State University, 1985, Business Administration; College of Sciences & Humanities Dean's List and honors program; Phi Delta Theta; National Education Foundation Scholarship

#### Bar Jurisdictions

- Missouri, 1988

#### Court Admissions

- U.S. District Court, District of Kansas
- U.S. District Court, Western District of Missouri
- U.S. District Court, District of Nebraska

## Cary W. Miller

Of Counsel  
cmiller@polsinelli.com  
Kansas City  
816.374.0511

#### Overview

Cary has 28 years of experience in civil litigation. He has tried many cases to juries and to the bench. He has taken more than two hundred depositions of fact and expert witnesses and handled all phases of a civil lawsuit, including pleadings, motion practice, and alternative dispute resolution. Cary has also authored dozens of insurance coverage opinions for clients. Cary's practice areas include insurance recovery, products liability, antitrust, personal injury and wrongful death, air crash liability, education torts, premises liability, trucking liability, and acting as a legal adviser to a non-profit organization.

#### Distinctions

- Barrister, Ross T. Roberts Inn of Court, Jackson County, Missouri

#### Memberships

- Big Brothers Big Sisters of Greater Kansas City
- Legal Counsel, 1999-present
- Board of Directors, 2014-present
- Kansas City Metropolitan Bar Association
  - Circuit Courts Committee
  - Insurance Law Committee
- Malawi Mission Trip, United Methodist Church of the Resurrection, 2015
- The Missouri Bar
- Missouri Organization of Defense Lawyers

#### Key Matters

- Persuaded an insurance company to issue a defense to the clients in a lawsuit arising out of the sale of their home. At issue was the applicability of the clients' homeowner's policy to the transaction.
- Achieved the dismissal of a premises liability case against the client, a major airline, arising out of an incident that allegedly occurred mid-flight.
- Negotiated a five-figure settlement of claims alleging commercial real estate waste against a client wherein the plaintiffs' liquidated damages approached \$1 million.
- Analyzed numerous layers of liability insurance coverage and fidelity bond coverage in connection with claims asserted against the officers and directors of a major federal credit

union.

- Represented multiple plaintiffs in antitrust class actions in multi-district litigation.

### Intelligence

Assignments of Insureds' Rights Against Liability Insurers

Presenter to Polsinelli Insurance Recovery Practice Group  
December 8, 2015

But is it Really Insurance? Protections Afforded Under Rental Contracts

Presenter to Polsinelli Insurance Recovery Practice Group  
January 13, 2015

The "Educational Malpractice" Doctrine

Co-Author, DRI Newsletter  
March 22, 2012

# **EXHIBIT B**

**EXHIBIT B**

In re Cathode Ray Tube (CRT) Antitrust Litigation  
**POLSINELLI PC**  
 Reported Hours and Lodestar  
 Inception through October 31, 2016 - Mitsubishi/Thomson Only

**TIME REPORT**

| NAME                      | TOTAL HOURS   | HISTORICAL<br>HOURLY<br>RATE | LODESTAR            |
|---------------------------|---------------|------------------------------|---------------------|
| ATTORNEYS                 |               |                              |                     |
| Dan D. Owen (P)           | 442.40        | \$850.00                     | \$376,040.00        |
| Dan D. Owen (P)           | 31.40         | \$600.00                     | \$18,840.00         |
| Cary Miller (OC)          | 360.40        | \$400.00                     | \$144,160.00        |
| P. John Brady (P)         | 20.90         | \$650.00                     | \$13,585.00         |
| Christopher S. Abrams (P) | 7.50          | \$500.00                     | \$3,750.00          |
| Amy D. Fitts (P)          | 0.90          | \$400.00                     | \$360.00            |
|                           |               |                              |                     |
| NON-ATTORNEYS             |               |                              |                     |
| Celena Fuson (PL)         | 1.10          | \$150.00                     | \$165.00            |
| Jeannine R. Campbell (PL) | 3.50          | \$150.00                     | \$525.00            |
| Deborah A. Hagan (PL)     | 12.00         | \$150.00                     | \$1,800.00          |
| Rhonda Trosen (PL)        | 0.20          | \$150.00                     | \$30.00             |
|                           |               |                              |                     |
|                           |               |                              |                     |
| <b>TOTAL:</b>             | <b>880.30</b> |                              | <b>\$559,255.00</b> |

(P) Partner  
 (OC) Of Counsel  
 (A) Associate  
 (PL) Paralegal  
 (LC) Law Clerk

# **EXHIBIT C**

**EXHIBIT C**

In re Cathode Ray Tube (CRT) Antitrust Litigation  
**POLSINELLI PC**

Reported Expenses Incurred on Behalf of DPPs - Mitsubishi/Thomson Only

**EXPENSE REPORT**

| CATEGORY   | AMOUNT INCURRED   |
|--|-------------------|
| Court Fees (Filing, etc.)                          | \$305.00          |
| Experts/Consultants                                |                   |
| Federal Express                                    |                   |
| Transcripts (Hearing, Deposition, etc.)            | \$2,095.07        |
| Messenger Delivery                                 | \$18.34           |
| Photocopies – In House (capped at \$0.20 per copy) |                   |
| Photocopies – Outside                              |                   |
| Postage  |                   |
| Service of Process                                 |                   |
| Telephone/Telecopier                               |                   |
|  |                   |
| <b>TOTAL:</b>                                      | <b>\$2,418.41</b> |
|  |                   |